

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

FREDERICK JODY BARTON,  
ADC #142505

PLAINTIFF

V.

1:12CV00038 JMM/JTR

JOHN MAPLES, Warden, Grimes Unit,  
Arkansas Department of Correction; et al.

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

**IT IS THEREFORE ORDERED THAT:**

1. Pursuant to the screening function mandated by 28 U.S.C. § 1915A, this case is DISMISSED, WITHOUT PREJUDICE, for failing to state a claim on which relief may be granted.
2. Dismissal of this action CONSTITUTES a “strike,” as defined by 28 U.S.C. § 1915(g).
3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in*

*forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 29th day of May, 2012.

Jane M. Mealey  
UNITED STATES DISTRICT JUDGE